

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF MICHIGAN  
SOUTHERN DIVISION

FREDERICK FISHER,

Plaintiff,

No. 07-CV-10920-DT

vs.

Hon. Gerald E. Rosen

PATRICIA CARUSO, et al.,

Defendants.

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ORDER ADOPTING MAGISTRATE JUDGE'S REPORT AND  
RECOMMENDATION AND DISMISSING PLAINTIFF'S COMPLAINT

At a session of said Court, held in  
the U.S. Courthouse, Detroit, Michigan  
on January 24, 2008

PRESENT: Honorable Gerald E. Rosen  
United States District Judge

This matter having come before the Court on the September 18, 2007 Report and Recommendation of United States Magistrate Judge Donald A. Scheer recommending that the Court dismiss Plaintiff's Amended Complaint due to his failure to exhaust administrative remedies, and no timely objections to the R&R having been filed, and the Court being otherwise fully advised in the premises,

NOW, THEREFORE,

IT IS HEREBY ORDERED that the Magistrate Judge's Report and Recommendation of September 18, 2007 [Dkt. # 32] is hereby ADOPTED by the Court. Accordingly, for the reasons stated in the R&R,

IT IS FURTHER ORDERED that Plaintiff's Complaint is dismissed for failure to exhaust administrative remedies, without prejudice.

s/Gerald E. Rosen  
Gerald E. Rosen  
United States District Judge

Dated: January 24, 2008

I hereby certify that a copy of the foregoing document was served upon counsel of record on January 24, 2008, by electronic and/or ordinary mail.

s/LaShawn R. Saulsberry  
Case Manager